

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

KIRK MEDEARIS,

Plaintiff,

v.

CVS PHARMACY,

Defendant.

CIVIL ACTION FILE
NO. 1:13-CV-1847-TWT

ORDER

This is an employment discrimination action. It is before the Court on the Report and Recommendation [Doc. 56] of the Magistrate Judge recommending granting the Defendant's Motion for Summary Judgment [Doc. 48]. The Plaintiff's Objections to the thorough and well-reasoned Report and Recommendation are without merit. It is clear from the record as a whole that the Plaintiff was unable to perform the essential functions of his job as Store Manager with or without reasonable accommodations. The record does not support his constructive discharge claim. Therefore, his race discrimination claim fails in the absence of an adverse employment action. The Court approves and adopts the Report and Recommendation as the judgment of the Court. The Defendant's Motion for Summary Judgment [Doc. 48] is GRANTED.

SO ORDERED, this 12 day of March, 2015.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge